

1 Roopal P. Luhana  
2 **CHAFFIN LUHANA LLP**  
3 600 Third Avenue, Floor 12  
4 New York, NY 10016  
5 Telephone: (888) 480-1123  
6 luhana@chaffinluhana.com

7 Sarah R. London (SBN 267083)  
8 **GIRARD SHARP LLP**  
9 601 California St., Suite 1400  
10 San Francisco, CA 94108  
11 Telephone: (415) 981-4800  
12 slondon@girardsharp.com

13 Rachel B. Abrams (SBN 209316)  
14 **PEIFFER WOLF CARR KANE**  
15 **CONWAY & WISE, LLP**  
16 555 Montgomery Street, Suite 820  
17 San Francisco, CA 94111  
18 Telephone: (415) 426-5641  
19 rabrams@peifferwolf.com

20 *Co-Lead Counsel for Plaintiffs*

21  
22 **IN THE UNITED STATES DISTRICT COURT**  
23 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

24 IN RE: UBER TECHNOLOGIES, INC.,  
25 PASSENGER SEXUAL ASSAULT  
26 LITIGATION

27 This Document Relates to:

28 *Jaylynn Dean v. Uber Techs., Inc.*,  
No. 23-cv-06708

Case No. 3:23-md-03084-CRB (LJC)

**STIPULATION AND [PROPOSED]  
ORDER REGARDING PRETRIAL  
MECHANICS FOR THE *DEAN* CASE**

Judge: Hon. Charles R. Breyer  
Courtroom: Courtroom 6-17<sup>th</sup> Floor

WHEREAS, at the October 31, 2025, case management conference, the Court instructed the parties to focus the remaining time before the January 6, 2025 trial (including summary judgment and *Daubert* filings) on the *Dean* case, and to meet and confer on the pretrial mechanics for that trial;

WHEREAS, the parties met and conferred and agreed on the following, subject to the Court's approval:

1. The summary judgment and *Daubert* papers due on November 10, November 14, December 10, and December 23 will encompass only issues relevant in the Jaylynn

Dean case. The parties do not waive any arguments or issues that do not relate to the *Dean* bellwether case.

2. The following page limits govern the parties' summary judgment motions in *Dean*:
  - Motion: 30 pages
  - Opposition: 30 pages
  - Reply: 18 pages
3. The following page limits govern the parties' *Daubert* motions in *Dean*:
  - Motions: 90 aggregate pages
  - Oppositions: 90 aggregate pages
  - Replies: 45 aggregate pages
4. The pretrial conference for *Dean* will be set for January 5, 2026, at a time convenient for the Court. The deadlines that are triggered by the pre-trial conference apply only to the *Dean* case.
5. The following schedule applies to motions in limine:
  - November 14, 2025: The parties to exchange proposed MILs
  - November 24, 2025: The parties to submit a joint statement or stipulation concerning page and/or number limits on MILs
6. The *Dean* trial will be 80 hours, divided 48 hours to Plaintiff and 32 hours to Uber, not including jury selection or any Phase 2 (should the Court bifurcate the trial). The parties agree that time should be strictly kept pursuant to a chess-clock method, such that all time that a party uses (i.e., crosses and rebuttals) is counted towards the party using the time.
7. Counsel may make brief opening statements to the jurors before voir dire. The parties need not submit to the Court "a joint simplified statements of the case to be included in the questionnaire and read to the jury during voir dire" as required by the Court's standing order.

8. The parties will exchange opening demonstratives by 7:30 PM the night before they are to be used.

9. In the interests of efficiency and due to the large number of filings, the Court will permit the parties to file expert reports and other exhibits provisionally under seal in connection with both opening and opposition *Daubert* briefs. Following the filing of the opening motions, the parties will meet and confer as to any proposed PII and other redactions and then file opposed, unopposed, or partially unopposed motions to seal. Each party shall file a single omnibus motion to seal addressing all of the Rule 702 motions, rather than individual motions to seal for each motion, in order to ease the burden on the Court and the parties.

10. The following schedule applies to the omnibus motions to seal:

- |                       |   |
|-----------------------|---|
| a. November 24, 2025: | Motions to seal materials filed provisionally under seal in connection with the November 10 and 14 opening <i>Daubert</i> motions   |
| b. December 3, 2025:  | Oppositions, if any   |
| c. December 15, 2025: | Replies and supplements to opening motions to seal (to the extent new materials are filed provisionally under seal in connection with the December 10 <i>Daubert</i> oppositions) |

11. The following page limits govern the parties' omnibus motions to seal the *Daubert* materials:

- Motions: 10 pages
- Oppositions: 10 pages
- Replies/Supplements: 5 pages

WHEREAS, the parties met and conferred regarding potential live trial testimony by corporate witnesses, but did not agree on any related provision to be included in the attached proposed order. Each party's position is as follows:

**Uber:** Uber and Plaintiffs have met and conferred further about an exchange of preliminary lists of which company witnesses each desire to bring to trial live. While Uber agreed to make

reasonable efforts to produce witnesses Plaintiffs identify, assuming Plaintiffs provide a reasonably narrowed list, and subject to appropriate objections on whether the witness should be called for live testimony based on relevant considerations including role in the organization, relevance, and admissibility, Plaintiffs have not committed to a date for this preliminary exchange despite multiple requests from Uber. Trial is approaching fast, Witness Lists are due at the beginning of December, and delay in Plaintiffs' provision of a preliminary list of company witnesses will impact Uber's ability to ensure availability and arrange for the voluntary appearance of out of state company witnesses. Uber requests that Plaintiffs provide a preliminary exchange no later than November 17, which is only two weeks in advance of the Witness List filing deadline, if it wishes to proceed in the voluntary and collaborative manner anticipated by the parties' initial discussions. Uber requests that the Court require Plaintiffs to provide the preliminary list of out-of-state company witnesses for which it requests voluntary appearance at the earliest possible date and no later than November 18, 2025.

**Plaintiffs:** Plaintiffs contemplated a discussion with Uber regarding which witnesses will testify live so that the parties don't need to waste time doing deposition cuts for witnesses who turn out to be available. That did not mean providing Uber with Plaintiffs' witness list two months in advance of trial or otherwise modifying the Court's schedule for witness disclosures. Regardless, Plaintiffs recognize the utility of exchanging information on this issue once decisions are made, and will continue discussing it with Uber. Uber has not shown good cause to modify in part the witness disclosure deadline.

THEREFORE, the parties respectfully request the Court enter the parties' stipulation as set out in the attached proposed case management order.

**IT IS SO STIPULATED.**

DATED: November 6, 2025

Respectfully submitted,

By: /s/ Sarah R. London

SARAH R. LONDON (SBN 267083)  
ANDREW R. KAUFMAN (*Pro Hac Vice*)  
GIRARD SHARP LLP  
601 California St., Suite 1400  
San Francisco, CA 94108  
Telephone: (415) 981-4800

Email: slondon@girardsharp.com  
akaufman@girardsharp.com

RACHEL B. ABRAMS (Cal Bar No. 209316)  
ADAM B. WOLF (Cal Bar No. 215914)  
SARA B. CRAIG (Cal Bar No. 301290)  
PEIFFER WOLF CARR KANE CONWAY  
& WISE, LLP  
555 Montgomery Street, Suite 820  
San Francisco, CA 94111  
Telephone: 415.766.3544  
Facsimile: 415.840.9435  
Email: rabrams@peifferwolf.com  
awolf@peifferwolf.com  
scraig@peifferwolf.com

ROOPAL P. LUHANA (*Pro Hac Vice*)  
CHAFFIN LUHANA LLP  
600 Third Avenue, Fl. 12  
New York, NY 10016  
Telephone: (888) 480-1123  
Email: luhana@chaffinluhana.com

*Co-Lead Counsel for Plaintiffs*

Dated: November 6, 2025

KIRKLAND & ELLIS LLP

/s/ Laura Vartain

Laura Vartain (SBN 258485)  
laura.vartain@kirkland.com  
555 California Street  
San Francisco, CA 94104  
Telephone: (415) 439-1400

Allison M. Brown (*Admitted Pro Hac Vice*)  
alli.brown@kirkland.com  
2005 Market Street, Suite 1000  
Philadelphia, PA 19103  
Telephone: (215) 268-5000

*Attorneys for Defendants*  
UBER TECHNOLOGIES, INC.,  
RASIER, LLC, and RASIER-CA, LLC

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing.

Dated: November 6, 2025

/s/ Andrew R. Kaufman

Andrew R. Kaufman

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

Case No. 3:23-MD-03084-CRB (LJC)

**[PROPOSED] PRETRIAL  
ORDER NO. 33: PRETRIAL MECHANICS  
FOR THE *DEAN* CASE**

This Document Relates to:

*Jaylynn Dean v. Uber Techs., Inc.*,  
No. 23-cv-06708

Having considered the parties' Stipulation, the Court orders as follows:

1. The summary judgment and *Daubert* papers due on November 10, November 14, December 10, and December 23 will encompass only issues relevant in the *Jaylynn Dean* case. The parties do not waive any arguments or issues that do not relate to the *Dean* bellwether case.
2. The following page limits govern the parties' summary judgment motions in *Dean*:
  - Motion: 30 pages
  - Opposition: 30 pages
  - Reply: 18 pages
3. The following page limits govern the parties' *Daubert* motions in *Dean*:
  - Motions: 90 aggregate pages
  - Oppositions: 90 aggregate pages
  - Replies: 45 aggregate pages
4. The pretrial conference for *Dean* will be set for January 5, 2026, at  . The deadlines that are triggered by the pre-trial conference apply only to the *Dean* case.
5. The following schedule applies to motions in limine:
  - November 14, 2025: The parties to exchange proposed MILs

- November 24, 2025: The parties to submit a joint statement or stipulation concerning page and/or number limits on MILs
- 6. The *Dean* trial will be 80 hours, divided 48 hours to Plaintiff and 32 hours to Uber, not including jury selection or any Phase 2 (should the Court bifurcate the trial). The parties agree that time should be strictly kept pursuant to a chess-clock method, such that all time that a party uses (i.e., crosses and rebuttals) is counted towards the party using the time.
- 7. Counsel may make brief opening statements to the jurors before voir dire. The parties need not submit to the Court “a joint simplified statements of the case to be included in the questionnaire and read to the jury during voir dire” as required by the Court’s standing order.
- 8. The parties will exchange opening demonstratives by 7:30 PM the night before they are to be used.
- 9. In the interests of efficiency and due to the large number of filings, the Court will permit the parties to file expert reports and other exhibits provisionally under seal in connection with both opening and opposition *Daubert* briefs. Following the filing of the opening motions, the parties will meet and confer as to any proposed PII and other redactions and then file opposed, unopposed, or partially unopposed motions to seal. Each party shall file a single omnibus motion to seal addressing all of the Rule 702 motions, rather than individual motions to seal for each motion, in order to ease the burden on the Court and the parties.
- 10. The following schedule applies to the omnibus motions to seal:
  - a. November 24, 2025: Motions to seal materials filed provisionally under seal in connection with the November 10 and 14 opening *Daubert* motions
  - b. December 3, 2025: Oppositions, if any
  - c. December 15, 2025: Replies and supplements to opening motions to seal (to the extent new materials are filed provisionally under seal in connection with the December 10 *Daubert* oppositions)



11. The following page limits govern the parties' omnibus motions to seal the Daubert materials:

- Motions: 10 pages
- Oppositions: 10 pages
- Replies/Supplements: 5 pages

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Charles R. Breyer  
United States District Judge